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ABSTRACT

Minimal competency testing is the most recent evolution of the accountability movement and of the competency based education movement. It focuses on the basic academic skills of reading, writing, and arithmetic. It presumes the state will set educational objectives, and that the local school district will conduct its program so that the objectives will be achieved. It emphasizes minimal objectives for grade promotion or high school graduation. It supposes that a statewide test will determine whether the objectives are attained. It assumes that scientific management of the schools will not only provide equal distribution of opportunities and resources to all children but will also result in all children learning to read, write, and do arithmetic. Growing bureaucratization and centralization in education are the result of efforts by policymakers to solve educational problems. The author concludes that: (1) higher levels of government should be concerned with promoting equality of educational opportunity; (2) the standards and operation of schools should be the responsibility of local boards of education; and (3) minimal competency testing will not solve the problem of the minority of teachers who fail to teach and the minority of students who fail to learn. (CTM)

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A Critique of "Minimal Competency Testing"

by

Arthur E. Wise

Rand Corporation, Washington, D.C.

A background paper prepared for the Minimal Competency Workshops sponsored by the Education Commission of the States and the National Institute of Education.

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Summary

A CRITIQUE OF "MINIMAL COMPETENCY TESTING"

Arthur E. Wise

What is "minimal competency testing"? My purpose here is to discern its definition, to place it in larger context, and to predict its probable consequences.

Minimal competency testing is the most recent evolution of the "accountability movement" and of the "competency-based education movement":

(1) It focuses attention upon the basic academic skills of reading, writing and arithmetic.

(2) It presumes that the state will set educational objectives.

(3) It presumes that the local school district will conduct its program so that the objectives will be achieved.

(4) It emphasizes minimal objectives for grade-to-grade promotion and/or high school graduation.

(5) It supposes that objectives will be stated and explicit and that a statewide test will determine whether the objectives are attained. Perhaps the most comprehensive minimal competency testing law is Florida's which was enacted in 1976. A precis of that law is included as Appendix A.

Those who advocate minimal competency testing do not see it causing major changes in school organization and control beyond the obvious. They believe that the existence of the test will cause the schools to reorient themselves so that the objectives

will be attained.

Minimal competency testing is the latest "technical invention" designed to cause the schools to reform. The last decade or two has witnessed a succession of similar inventions. In common, these inventions have been designed to make the operation of schools more "business-like" and "scientific." The inventions are based on "common-sense." If the schools are not producing children who can read, write and do arithmetic, then we shall pass a law requiring the schools to do so.

To understand minimal competency testing, one should first review other state legislation enacted over the last fifteen years. Those familiar with educational policy will recognize a dizzying array of terms, each of which has remained current for only a few years. Underlying each reform, however, is the same impoverished theory of education and schooling. According to the Cooperative Accountability Project, between 1963 and 1974 at least seventy-three accountability-type laws were passed.

There appear to be two different problems which minimal competency testing is designed to solve. The first is that the "value of a high school diploma has declined." Some recipients of a high school diploma lack the basic skills of reading, writing and arithmetic. The institution of minimal competency testing will ensure that the recipient of a high school diploma does have the skills necessary to pass a state examination in these subjects. And state officials will be able to count the number who pass and the number who fail.

The intense interest in minimal competency testing, however,

suggests that its advocates hope to solve a second and more profound problem. A minority of students fail to acquire the basic skills. A minority of teachers fail to teach the basic skills.

According to Max Weber, one definition of bureaucratic rationalization involves tightening the relationship between the means and ends of the organization. Rationalization can occur, I would argue, only when the relationship between means and ends is known. Means can then be implemented to attain ends. Ends can then be chosen because means to attain them are available. When efforts to rationalize persist in ignorance of the relationship between means and ends, then I term it hyperrationalization. Available evidence provides little, if any, justification for the belief that minimal competency testing will help poor students to learn or poor teachers to teach.

Growing bureaucratization and centralization in education are the results of efforts by policymakers (and those they represent) to solve educational problems. The two major problems are inequality in education and low academic achievement. Generally, problems associated with equality in education--with the distribution of opportunities or resources--are not serious technical problems; they are political problems. When the local majoritarian processes fail to deliver equal opportunity, those who suffer discrimination invoke higher authorities. When local schools discriminate on the basis of race, economic status, handicap, or sex, action by higher authorities will redress the imbalance. The proper distribution or opportunities and resources is a goal which can be promoted through legislation, and, where necessary, litigation.

The goal of equality has been and is being promoted by court decisions, federal legislation and state legislation. Progress has been made; more is required.

However, a new goal has begun to capture the attention of those who make policy for education. That goal is to make educational institutions more efficient and more effective. At times, that goal appears to arise as a reaction to efforts to equalize the distribution of opportunities or resources. Will a more equal distribution of opportunities or resources make educational institutions more efficient or effective? At other times the goal is invoked to conjure images of waste and duplication. At still other times, the goal is invoked to promote educational achievement. Legislation or a court order is sought to solve the problem of low academic achievement.

Policy designed to solve the problem of low academic achievement is qualitatively different from policy designed to solve the problem of unequal educational opportunity. The solution to the problem of low achievement is more technical than political. It is true that some teachers do not teach. It is true that some students do not learn. The question is whether high level policy interventions will solve those problems. I think not. The causes of these problems are deep. They are not likely to respond to the kinds of policy interventions permitted by our current state of knowledge about teaching and learning and policy intervention.

Three recommendations follow:

(1) Higher levels of government should be concerned with promoting equality of educational opportunity.

(2) The establishment of standards and the operation of schools should be the responsibility of the local board of education and its staff.

(3) Minimal competency testing will not solve the problems of poor learning and poor teaching; serious research is required.

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A. What Is Past Is Prologue

To understand minimal competency testing, one should first review other state legislation enacted over the last fifteen years. Those familiar with educational policy will recognize a dizzying array of terms, each of which has remained current for only a few years. Underlying each reform, however, is the same impoverished theory of education and schooling. According to the Cooperative Accountability Project, between 1963 and 1974 at least seventy-three accountability-type laws were passed.[1]

1. Scientific Management

The lexicon of the accountability movement includes at least the following terms: (1) accountability, (2) planning, programming, budgeting systems (PPBS), (3) management-by-objectives (MBO), (4) operations analysis, (5) systems analysis, (6) program evaluation and review technique (PERT), (7) management information systems (MIS), (8) management science, (9) planning models, (10) cost-benefit analysis, (11) cost effectiveness analysis, (12) economic analysis, (13) systems engineering and (14) zero-based budgeting. While these techniques are purely management techniques which are perceived to be applicable to education, the ideology which has given rise to their use has also given rise to derivative approaches which are the adaptation of management science to education. Perhaps more important, however, the management ideology has focused concern upon the output of the educational system. That concern has manifested itself in two ways. First, numerous systems for focusing attention upon outputs have been devised. These include: (1) competency-based education (CBE),

(2) performance-based education (PBE), (3) competency-based teacher education (CBTE), (4) competency-based teacher certification (CBTC), (5) assessment systems (federal, state and local), (6) program evaluation, (7) learner verification, (8) behavioral objectives, (9) mastery learning, (10) criterion-referenced testing, (11) educational indicators and (12) performance contracting. Second, rubrics for minimum expectations for school outcomes have been devised. These have sought to describe the nature of education which is designed to transform the "output" of the school system to the "input" of society. The term functional literacy best captures this transformation but other dimensions of education are captured by (1) basic education, (2) basic skills, (3) career education, and (4) moral education.

a. Accountability

The first term was "accountability" itself, although in short order it also became the generic term for the forms of legislation just listed. A good illustration of the specific use of the term is Colorado's Educational Accountability Act of 1971:

> (1) The general assembly hereby declares that the purpose of this article is to institute an accountability program to define and measure quality in education, and thus to help the public schools of Colorado to achieve such quality and to expand the life opportunities and options of the students of this state; further, to provide to local school boards assistance in helping their school patrons to determine the relative value of their school program as compared to its cost.
>
> (2) (a) The general assembly further declares that the educational accountability program developed under this article should be designed to measure objectively the adequacy and efficiency of the educational programs offered by the public schools. The program

> should begin by developing broad goals and specific performance objectives for the educational process and by identifying the activities of schools which can advance students toward these goals and objectives. The program should then develop a means for evaluating the achievements and performance of students. It is the belief of the general assembly that in developing the evaluation mechanism, the following approaches, as a minimum, should be explored:
>
> (b) Means for determining whether decisions affecting the educational process are advancing or impeding student achievement;
>
> (c) Appropriate testing procedures to provide relevant comparative data at least in the fields of reading, language skills and mathematical skills;
>
> (d) The role of the department of education in assisting school districts to strengthen their educational programs;
>
> (e) Reporting to students, parents, boards of education, educators, and the general public on the educational performance of the public schools and providing data for the appraisal of such performance; and
>
> (f) Provision of information which could help school districts to increase their efficiency in using available financial resources.[2]

While this act illustrates the specific use of the term accountability, it includes other terms and references which are highlighted in other types of accountability legislation. The act not only seeks to promote accountability for results, it also endorses "adequacy," "efficiency," "performance objectives," "evaluation" and "basic skills." The act appears to strengthen the hand of the state and implies that the accountability program will reveal <u>how</u> to make students learn.

b. Planning, Programming, Budgeting Systems

The accountability movement was not restricted to education. Often government-wide accountability legislation included education within its scope. In 1973 the Texas Legislature enacted a bill directing the Legislative Budget Board to establish a planning, programming, budgeting system:

> The performance report shall analyze the operational efficiency of state agency operations and program performance in terms of explicitly stating the statutory functions each agency, department, commission and institution are to perform and how these statutory functions are being accomplished, in terms of unit-cost measurement, workload efficiency data, and program output standards as the Legislative Budget Board shall establish.[3]

The emphasis is on performance and the clear intent is to develop measurable output standards. Subsequent resolutions of the Texas legislature directed program budgeting and a study of zero base budgeting including cost-benefit analysis.[4]

c. Management-by-Objectives

Sometimes it is not clear under which accountability rubric, a particular piece of legislation should be classified. In 1971 Virginia enacted a law "to revise certain standards of quality for the several school divisions determined and prescribed by the board of education and to specify certain objectives for the board of education and local school boards." The law appears to be a basis for management-by-objectives. The law prescribes inter alia performance objectives for the state and for school districts. For the state these objectives include:

> 1. A number of pupils equal to at least seventy percent of the pupils who entered the first grade twelve years earlier should be graduated from high school.

2. The percentage of the school population overage in the elementary grades should not exceed twenty percent of the enrollment in grades K-7.

3. The percentage of the student population achieving at or above grade level norms or the equivalent as measured by approved standardized achievement tests should equal or exceed the mean ability level of the student population as measured by appropriate scholastic aptitude tests.

4. At least thirty-one thousand, seven hundred fifty five-year-old children in the State should be enrolled in kindergarten.

5. At least one hundred thirty thousand pupils should be enrolled in summer programs.

6. At least fifty thousand eligible children should be enrolled in special education programs.

7. At least one hundred thirty-five thousand adults should be enrolled in continuing education programs.

8. At least seventy percent of the high school graduates should continue their education in programs provided by colleges and by schools such as business, nursing, data processing, and trade and technical.

9. At least ninety percent of the teachers should be assigned to teach only those subjects for which they have certificate endorsements.

10. At least twenty-three percent of the teachers should hold advanced degrees.

For the school district these objectives include:

1. High school graduates expressed as a percent of the first grade enrollment twelve years earlier should increase by at least three percent each year or until a level of seventy percent is reached. Appropriate adjustments will be made for school divisions with significant increases or decreases in school population.

2. The percentage of the school population overage in grades K-7 should be reduced by at least two percent each year or until a

> level not exceeding twenty percent is reached.
>
> 3. The percentage of the student population achieving at or above grade level norms or the equivalent as measured by approved standardized achievement tests should equal or exceed the mean ability level of the student population as measured by appropriate scholastic aptitude tests.
>
> 4. The percentage of teachers holding advanced degrees should increase by at least two percent each year or until at least twenty-three percent of the teachers hold such degrees. Work toward advanced degrees should be in the subject area to which the teacher is assigned.
>
> 5. The percentage of attendance of pupils should not fall below the average of the last three years or ninety percent of school membership.
>
> 6. Teachers shall be assigned to teach only those subjects for which they have certificate endorsements unless exceptions are granted by the Board of Education.[5]

The language appears to be a mixture of exhortation and data-based management; the penalty for failure to attain the objectives is not specified. The schools are presumed not to have been trying hard enough or at least not to have succeeded. Presumably the existence of the law will bring about the desired state; presumably barriers to the attainment of the objectives are removed by the legislation.

d. Systems Analysis

Some legislation directly orders the implementation of a specific management tool. In 1973, Oklahoma imposed systems analysis upon the school districts of the state:

> Section 1. That the Oklahoma Department of Education be hereby requested to provide regulations within its accreditation process for the implementation of an educational-accountability program.

> Section 2. That each school district that wishes state accreditation shall initiate a systemwide needs assessment involving all grades under its jurisdiction.
>
> Section 3. That the needs assessment shall be undertaken by the local school staff in compliance with general direction and guidelines developed by the State Department of Education.
>
> Section 4. That a systems analysis process including goals and objectives shall be utilized to plan the instructional program to fit the needs of the students of said district.
>
> Section 5. That the needs assessment shall involve local patrons as well as school staff members of said district and shall encompass all of the curriculum areas at each grade level.
>
> Section 6. That an evaluation shall be designed and conducted annually to determine whether or not and to what extent the objectives are being met.
>
> Section 7. That the State Department of Education shall hold inservice training sessions for administrators, local school staff, and others involved to effect changes in the accreditation process. Furthermore, that these meetings shall be held periodically in planning regions throughout the State of Oklahoma.[6]

Systems analysis, developed to manage defense expenditures, is linked to an education-specific term, "needs assessment."

e. Management Information Systems

While Oklahoma favored systems analysis, Ohio favored a management information system:

> The state department of education shall develop a comprehensive system for providing educational management information and accountability capabilities. The system shall be designed for eventual implementation on a state-wide basis and shall utilize the technology of the computer and related systems concepts. Developmental

> work by the department shall utilize pilot school districts and shall strive, with regard to all public and nonpublic elementary and secondary schools in the state, to (1) define those measurable objectives for which each facet and level of public education is to be held accountable; (2) identify pertinent data elements and devise methods and systems for fairly, accurately and uniformly measuring and reporting the extent to which the defined objectives are met; (3) develop uniform files, methods and systems for collecting, processing, sorting and analyzing data which will permit identification of those factors in the teaching-learning process which have the greatest relevance to student performance; (4) develop uniform accounting methods and systems which will relate the cost and the efficiency of those factors to the learning outcome; and (5) develop uniform systems of reporting the findings of the program to all interested persons.

Lest the apparent intent of the act be misconstrued, the framers found it necessary to specify utilization of the computer and to garb an accountability law with the rhetoric of computer technology. Ohio schools were to be improved by a computer-based MIS.

f. Management Science

California vies with Florida in the race to be the state with the greatest volume of accountability legislation. In an interesting variation, California, in 1971 created an Educational Management and Evaluation Commission. The State Board of Education was to appoint nine public members of the Commission; of these three were to "represent the field of economics," three were to "represent the learning sciences" and three were to "represent the managerial sciences":

> The commission shall assist and advise the State Board of Education in the evaluation of the program achievement of educational programs, in the determination of the relative cost effectiveness of educational

> programs, and shall make recommendations concerning the expanded use, modification, or replacement of educational programs so as to produce a higher degree of program achievement and cost effectiveness. The commission shall also serve as an advisory body to the State Board of Education on program budgeting and accounting systems for school districts.[8]

The composition of the commission and its mandate made it clear that its purpose is the introduction of management science to education.

g. Planning

Colorado not only adopted its Educational Accountability Act in 1971 but also adopted that same year the Comprehensive Educational Planning Act:

> (a) Comprehensive educational planning includes, but is not limited to, the following steps:
>
> (b) Evaluation of the present educational program and identification of the strengths and weaknesses of the district;
>
> (c) Delineation of the knowledge, skills, and attitudes which are the goals of the district's educational program;
>
> (d) Development of a plan for the district's educational program which will enable pupils in the district to meet the delineated goals.[9]

Whereas Colorado's accountability law called for "determining whether decisions affecting the educational process are advancing or impeding student achievement," the planning act required "evaluation of the present educational program and identification of the strengths and weaknesses of the district."

2. Education-Specific Scientific Management

The legislation excerpted above reveals the application of

scientific management to education. The management techniques--accountability, PPBS, MBO, systems analysis, MIS, management science, and planning--were developed in other sectors and applied without much modification to education. The ideology of management science has, however, also spawned the development of techniques specifically for education. In turn, these techniques have frequently been imposed by legislation; often the techniques have been imposed before they have been developed.

a. Performance-Based Education

In 1974 Georgia passed the Adequate Program for Education in Georgia Act:

> Performance based Criteria for Operation of Instructional Programs. The State Board of Education shall establish performance-based criteria upon which the instructional program of each public school will be evaluated so as to assure, to the greatest extent possible, equal and adequate educational programs, curricula, course offerings, opportunities and facilities for all students of Georgia's public schools, and economy and efficiency in administration and operation of each local unit of administration and public schools therein.
>
> Statewide Assessment Program, Local Assessment Program, Funds for the Local Program. The State Board of Education shall adopt such instruments, procedures and policies as deemed necessary to assess the effectiveness of the educational programs of the State. Such assessments will be made at least once annually, at a minimum of three grade levels, and on a Statewide basis. The State Board shall annually cause a readiness test to be administered early during a child's first year in school.[10]

The act stipulates that school programs will be evaluated by performance-based criteria; apparently the act is designed to encourage performance-based education; PBE is not, however, defined in the law. Although the act is titled "an adequate

program," it calls for "equal" and "adequate" programs. The law apparently does not contemplate any inconsistency between these objectives; "economy" and "efficiency" are also featured objectives of the law.

b. Competency-Based Teacher Evaluation

A number of state laws were designed to require competency-based or performance-based teacher education, certification, or evaluation. The first of these was California's Stull Act which mandated that the evaluation of teachers be based upon their competence. Each school district was "to develop and adopt specific evaluation and assessment guidelines" which were to include:

> The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.
>
> Assessment of certificated personnel competence as it relates to the established standards.
>
> Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments.
>
> The establishment of procedures and techniques for ascertaining that the employee is maintaining proper control and is preserving a suitable learning environment.[11]

The most interesting feature of the law was its requirement that the evaluation of teachers was to be based upon their contribution to their students' performance. That school districts have had difficulty in meeting this demanding standard is suggested by the fact that a less restrictive new law replaced the Stull Act in 1975.[12]

c. Assessment

A major variation of accountability legislation has been assessment. The state to attract the most attention with its accountability program is Michigan. In 1970 it adopted its comprehensive assessment program. The law provided for:

> A statewide program of assessment of educational progress and remedial assistance in the basic skills of students in reading, mathematics, language arts and/or other general subject areas is established in the department of education which program shall:
>
> (a) Establish meaningful achievement goals in the basic skills for students, and identify those students with the greatest educational need in these skills.
>
> (b) Provide the state with the information needed to allocate state funds and professional services in a manner best calculated to equalize educational opportunities for students to achieve competence in such basic skills.
>
> (c) Provide school systems with strong incentives to introduce educational programs to improve the education of students in such basic skills and model programs to raise the level of achievement of students.
>
> (d) Develop a system for educational self-renewal that would continuously evaluate the programs and by this means help each school to discover and introduce program changes that are most likely to improve the quality of education.
>
> (e) Provide the public periodically with information concerning the progress of the state system of education. Such programs shall extend current department of education efforts to conduct periodic and comprehensive assessment of educational progress.[13]

The law directed attention to the basic skills and provided extra funds for students with the "greatest educational need." In this respect Michigan's assessment law differs from all others for it

specified a course of action upon the identification of need. The law did assume, as did others, that the state could induce educational improvement where local school districts could not.[14]

d. Evaluation

In 1969 California passed the Educational Improvement Act which was designed to specify criteria and techniques for the evaluation of state and federal project grants:

> It is the intent of the Legislature that the funds provided by this chapter and the funds provided through Title I and Title III of the Elementary and Secondary Education Act of 1965 be expended in the most effective way possible, and that cost effectiveness measures be employed in the approval and evaluation of all projects. It is the further intent of the Legislature that all projects to be evaluated annually as to the degree of program achievement and cost effectiveness produced; that highly effective projects shall be expanded to further use in the district where operated and in other districts; and that less effective projects be replaced with ones of proven effectiveness, or by new projects which hold promise of high effectiveness.
>
> It is the intent of the Legislature that the effectiveness of a project be measured in terms of the objectives of the project, and that each district should be primarily concerned with the pupils' improvement in ability to read, to use and understand the English language, and to use and understand the concepts of mathematics.[15]

The law, in effect, mandated that project grants were to focus upon basic skills; that they were to be evaluated; and that evaluation was to assess student improvement and cost effectiveness.

e. Learner Verification

Florida has adopted a law which seeks to guarantee in advance that textbooks and other instructional materials will work. The law known as learner verification requires inter alia:

> Written proof of the use of the learner-verification and revision process during prepublication development and postpublication revision of the materials in question. For purposes of this section "learner verification" is defined as the empirical process of data gathering and analysis by which a publisher of curriculum material has improved the instructional effectiveness of that product before it reaches the market and then continues to gather data from learners in order to improve the quality and reliability of that material during its full market life. Failing such proof, if the publisher wishes to submit material for adoption, he must satisfy the state instructional materials selection council that he will systematically gather and utilize learner-verification data to revise the materials in question to better meet the needs of learners throughout the state. Such text revision should be interpreted as including specific revision of the materials themselves, revision of the teachers' materials, and revision of the teachers' skill through retraining, it being the intent of the legislature that learner-verification and revision data shall include data gathered directly from learners; may include the results of criterion-referenced and group-normed tests, direct learner comments, or information gathered from written questionnaires from individual or small group interviews; and not preclude the use of secondary data gathered from teachers, supervisors, parents, and all appropriate participants and observers of the teaching-learning process.[16]

With learner verification, accountability seems to have touched nearly every aspect of education.[17]

3. Related Federal Government and Judicial Developments

State legislatures are not alone in the effort to promote educational improvement through approaches similar to minimal competency testing. A number of recent policies of the federal government have been based upon similar premises. Title I of the Elementary and Secondary Education Act of 1965 was intended to provide financial assistance to school districts with high con-

centrations of low-income children. However, from the start, school districts which received Title I funds were required to engage in systematic evaluation of the effects of Title I-funded projects:

> Effective procedures, including provisions for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of educationally deprived children.
>
> The local educational agency will make an annual report and such other reports to the State educational agency in such form and containing such information (which in the case of reports relating to performance is in accordance with specific performance criteria related to program objectives), as may be reasonably necessary to enable the State educational agency to perform its duties under this title, including information relating to the educational achievement of students....[18]

The requirement for systematic evaluation of educational achievement is evidence that Title I was intended to do more than merely provide a financial aid to school districts. It was intended to improve the effectiveness of the educational system, that is, to increase the level of measured achievement among children from poor families. From time-to-time there have been introduced bills which would allocate the funds on the basis of the number of students performing poorly on tests in reading and arithmetic.

Similar to the assessment component of minimal competency testing has been the National Assessment of Educational Progress. Begun in 1969, the objective of NAEP is very ambitious, for it is

> ...to spot changes in level of achievement over the years and to apply the implications of those changes to national educational policy.[19]

In other words, changes in scores will be traced to their causes

and appropriate policy interventions constructed to correct them. So far, the main consequence of NAEP appears to be in helping to spawn assessment in 36 states.[20]

In 1977 a bill was introduced in Congress to prohibit federal aid to states which do not have a minimal competency law. The bill would require the states to "establish and implement basic standards of educational proficiency" in reading, writing and mathematics.

While state legislatures have led the minimal competency testing movement and its antecedents and the federal government has reinforced it, the courts have also participated. The idea of educational malpractice has been taking shape. In a case known as Peter Doe v. San Fransisco, it was contended that the school district

> ...(1) failed to apprehend his reading disabilities, (2) assigned him to classes in which he could not read "the books and other materials," (3) allowed him "to pass and advance from a course or grade level" with knowledge that he had not achieved either its completion or the skills "necessary for him to succeed or benefit from subsequent courses," (4) assigned him to classes in which the instructors were unqualified or which were not "geared" to his reading level, and (5) permitted him to graduate from high school although he was "unable to read above the eighth grade level...[21]

These contentions, it should be noted, incorporate the idea of minimal competency testing. Peter Doe lost his case but others will surely follow. Moreover, if the state had had a minimal competency testing law in operation, Peter Doe might have fared differently. He could then have been able to argue that the law

held out some rather specific promises of what he would learn.

A second instance of court action which reinforces the idea of minimal competency testing is Robinson v. Cahill in New Jersey. The case which began as a lawsuit concerned with the equalization of educational expenditures, in a bizarre turn of events, resulted in a ruling to institute something like minimal competency testing. In an effort to define the article of the state constitution which required the state to have a "thorough and efficient system of schools," the court ordered:

> a. Establishment of educational goals.
>
> b. Instruction intended to produce the attainment of reasonable levels of proficiency in the basic communications and computational skills.
>
> c. Evaluation and monitoring programs.[22]

As can be seen, the court had ordered the basic contours of minimal competency testing.

B. What Is The Problem? Can It Be Solved?

There appear to be two different problems which minimal competency testing is designed to solve. The first is that the "value of a high school diploma has declined." Some recipients of a high school diploma lack the basic skills of reading, writing and arithmetic. The institution of minimal competency testing will ensure that the recipient of a high school diploma does have the skills necessary to pass a state examination in these subjects. And state officials will be able to count the number who pass and the number who fail.

The intense interest in minimal competency testing, however, suggests that its advocates hope to solve a second and more profound problem. A minority of students fail to acquire the basic skills. A minority of teachers fail to teach the basic skills.

Educational policy is created by legislative enactment, executive decree and judicial pronouncement. However created, its purpose is to affect the practice of education. Inevitably, then, an educational policy must be based upon some assumptions about educational practice. If these assumptions are correct, then the policy may have its intended consequence. If these assumptions are incorrect, then the policy will probably not have its intended consequence.

An educational policy contains two elements--an aim that the educational system is to achieve and a "theory of education" or set of hypotheses that explain how that aim is to be achieved.[23] The aim may deal with the ends of education and may be drawn from religion, ethics, tradition, the law, or other normative sources.

The schools must prepare students to read, to face the world of work, to accept their place in society, or to question the current social order. The aim may deal with the means of education and may be drawn from economic theory, the law, or other sources which prescribe how a society wishes to conduct its institutions. The schools must be efficient, treat all equally, provide due process, or maintain strict discipline. If the aim is not accepted as legitimate by the relevant parties, the policy will probably not work.

The theory of education or hypotheses may be drawn from common sense, professional lore or social science. From common sense, we know that a large organization cannot function effectively unless it has highly developed bureaucratic procedures![24] From professional lore we know that a teacher cannot function as effectively in a large class as in a small![25] From social science we variously know that integration works or that it does not![26] If the theory of education or hypothesis is incorrect then the policy will probably not work. Needless to say, a policy may have unintended consequences. And a particular policy statement may or may not be explicit about its aims or its theory of education. But analyzing an educational policy in this way reveals that its educational theory component may be examined by the canons of science and scientific criticism.

Many educational policies of the 1960s and 1970s share a common set of assumptions about schooling:

1. While many goals for education are imaginable, society must find a limited set upon which agreement is possible. The emerging consensus appears to be that the purpose of schooling is to provide the student with basic and career skills. Establishing

limited goals for schools is thought to facilitate goal attainment.

2. The goals must be put in a form which will permit assessment of the extent to which they are attained. Most effort has been given to defining the basic skills of reading and arithmetic. Such definition is thought to facilitate goal attainment.[27]

3. Tests are then devised to assess performance. When the scores are available they can be compared with other scores--districtwide, statewide or nationwide. Such comparisons are thought to facilitate student, teacher, program, and school evaluation and improvement.

4. Some complexity is added by the realization that some children arrive at school less well prepared than others. For such children schools will variously either adjust expectations downward or provide supplementary educational services.

Absent from this set of assumptions about education is reference to the process of education--to how educational practice affects the child. Thus, educational policy is designed to alter the practice of education without an understanding of how education actually occurs. There are three possible explanations. First, policymakers wish to leave the process of education to the professionals. This seems unlikely since the kind of policymaking described is designed to force remediation in professional practice. Second, policymakers have not yet been furnished the tools for legislating about the educational process. This seems plausible since they do employ the tools that have been furnished by educational research, as shown by the alacrity with which criterion-referenced

testing has been adopted. Third, policymakers may believe that it is sufficient to cause something to occur by legislating that it should occur. At the very least this explanation is not inconsistent with the behavior of some policymakers. The educational theory appears to be that legislating goal attainment is sufficient for goal attainment to occur.

The theory of education which underlies much policy development includes at least the following additional assumptions about human behavior and learning:

1. The child is pliable, at least within the range of normal aptitude and normal expectations. As noted, an ambivalent attitude is held toward children who arrive at school displaying less than normal aptitude.

2. The teacher is pliable and will reconstitute his or her behavior in the face of legislation, court orders, regulations or scientific knowledge about education.

3. There exists a science of education which yields treatments that can be applied by teacher to student.

The invalidity of any of these assumptions needless to say, would lead one to wonder whether a policy based on them would work.

In the past, most policymaking in education was restricted to prescribing inputs to education. A person could not be a certified teacher without being graduated from an accredited teacher education program. A child had to attend school from ages five to sixteen. Every child was to have at least $750 spent on his education. To be sure, these policies are based on some assumptions about education. And, if these assumptions are in-

correct, they will have some disruptive effect upon the process of education. However, as policymakers legislate about the process of education itself, more sophisticated assumptions are required. Recent federal legislation (for the handicapped), mandates that individualized instruction plans be prepared for every child. Some state legislation effectively mandates the use of objectives-based education, requiring test-teach-test-reteach-test models of instruction as a matter of law. The belief that innovations such as individualized instruction plans and objectives-based education lead to improved goal attainment remains to be proved.[28] Finally, policymakers have begun to legislate output standards, necessitating an even more complex set of assumptions. Courts are requiring thorough and efficient education, state school boards are requiring competency-based educational outcomes and legislators are requiring minimum standards of attainment. Usually such policies do not encompass changes in financing practices. Presumably there is enough slack in existing school budgets and a so-far unused but adequate technology to achieve these ends.

The aim of a policy is a wish, a hope, a dream--it is what the policymaker anticipates will occur as a function of a legislative enactment, executive decree or judicial pronouncement. Every act of policy has an objective; it is intended to alter the means or ends of education. If it is to be more than dream or fantasy, the policymaker must have some reasons or evidence for believing that it will have its intended effect. But policy development is very difficult. It is far more difficult than, for example, designing new methods of instruction for classroom use. While a

policy may involve or be dependent upon a new educational technology, whether the technology is effective is only the first question. Because the policymaker is far removed from the classroom, he is forced to make numerous assumptions about how a whole succession of organizations and sub-organizations will respond to the policy. At each level through which the policy must pass on its way to implementation, bureaucratic politics and incentives can and will affect how and if the policy will be implemented.

It is ironic that at the very moment when state and federal legislators are seeking rationalistic approaches to school management, educational researchers are intensifying their criticism of the feasibility of such approaches. John Goodlad has said:

> ...there is not a science of education sufficient to give credence to the scientism necessarily indicated if any model of accountability of the kind described here is to function effectively. It is an idea whose time has not yet come, whatever rhetorical and political support it is able to muster. But it will be back again, probably in new trappings.[29]

A collection of essays by a number of educational researchers entitled Regaining Educational Leadership: Critical Essays on PBTE/CBTE, Behavioral Objectives, And Accountability attacks "the technical ideology that fails to do justice to the complexity of educational enterprise."[30]

> ...if schooling goes the way of technique, then its technocratic leaders must answer for the adoption of a questionable model of educational planning and operation (the industrial model), a questionable behavioral theory (behaviorist), and a questionable evaluation system (objective tests and measurements)[31]

James W. Guthrie argues:

> The complexity of a human endeavor such as

> learning defies simple cost-effectiveness analysis. Questions regarding the measurement of pupil learning potential and effective teaching techniques are vastly complicated. For example, to inquire if schools are effective assumes that (1) we have agreement on what it is schools should do, (2) we concur on how to measure these outcomes, (3) there exist means for diagnosing particular students' abilities to accomplish school objectives, and (4) we have knowledge of the instructional settings and techniques capable of moving a student, or groups of students, from what he or she now knows to where he or she should be or wants to be on the knowledge spectrum.[32]

Scientific rationality has been applied to education for some time. In the past, the implicit focus of research was likely the individual, the classroom or the school. In recent years, as higher levels of government have endeavored to solve educational problems, research has focussed upon school systems -- local, state and national. It would appear that education faces at least as great a challenge at the macroscopic level as it does at the microscopic level in meeting the conditions of scientific rationality.

According to Max Weber, one definition of bureaucratic rationalization involves tightening the relationship between the means and ends of the organization. Rationalization can occur, I would argue, only when the relationship between means and ends is known. Means can then be implemented to attain ends. Ends can then be chosen because means to attain them are available. <u>When efforts to rationalize persist in ignorance of the relationship between means and ends, then I term it hyperrationalization</u>. Available evidence provides little, if any, justification for the belief that minimal competency testing will help poor students to learn or poor teachers to teach.

C. Growing Bureaucratization and Centralization

The logic of minimal competency testing contains an implicit vision of how education and schools operate. The school is presumed to operate as a bureaucracy and minimal competency testing is designed to specify the aims which the bureaucracy is to serve. As the state specifies aims and the school strives to attain them, the bureaucratic structures at both the state and local levels are elaborated. The state requires means to establish and monitor the aims; the school district requires means not only to implement and evaluate the aims but also to enhance the liklihood that the aims will be accomlished.

If the school is a bureaucracy to accomplish specific aims, then the personnel who staff the bureaucracy must be bureaucrats. Indeed, it does not go too far to suggest that minimal competency testing is designed to help give the teacher a "job description." A "job description" is the conventional medium by which a bureaucracy apportions authority, responsibility and tasks. Indeed, while minimal competency testing specifies the ends of instruction, related inventions, like competency-based teacher education, specify how the teacher is to teach.

The short phrase "minimal competency" is actually part of a larger phrase which asserts that "the school should provide the students with the competencies minimally necessary to function in society." At one level, the phrase represents an unexceptionable statement of our goals for schooling. At another level, it masks some profound difficulties. It elevates to prime position the belief that the purpose of school is to prepare young people to

take their place in society. In so doing, it creates an extremely functionist view of the relationship between the individual and society and the school's role in perpetuating the status quo. It emphasizes minimal educational outcomes rather than "equality of educational opportunity" or the "maximal development of individual potential." While these phrases also have a rhetorical component, they tend to lift our aspirations and expectations. "Minimal competency testing" suggests concern for a range of skills, behavior and knowledge. In fact, it is used as shorthand for reading, writing and arithmetic. The phrase implies that it is possible to define "functioning in society" in a way that would generate consensus, a most unlikely prospect. It further supposes that the attributes of "functioning in society" can be studied and made to reveal "competencies" which can be taught, another unlikely prospect. Minimal competency testing represents a narrowly instrumental view of the purpose of education.

Minimal competency testing is one of a number of current educational policies which are resulting in the central determination of important educational decisions. In the past, the local board of education was the final arbiter of institutional policies and practices. To be sure, some policies for local institutions were set elsewhere, but for practical purposes, most important policies and practices were established at the local level. If a student, parent, or teacher had a problem with institutional policies or practices, it was everyone's expectation that the problem would be resolved locally or not at all. Today that expectation has changed dramatically. A person

with a grievance about the way in which he is being affected by his institution's policies or practices may try first to resolve it locally. However, should he fail to resolve it to his satisfaction locally, he will often turn to authorities external to the institution.

One of the results of the phenomenon of appeal to external authorities for the resolution of institutional problems is the drift to centralization. An external authority cannot generally make policy for a single institution. When an external authority responds to a problem, it makes policy for all similar institutions within its jurisdiction. When a state authority attempts to solve an educational problem, it imposes a solution on all schools in the state. When the federal government attempts to solve an educational problem, it imposes the solution on all schools in the nation.

The trend began with the failure of local officials to meet the demands of their constituents--often minority or dispossessed--together with the realization that higher authorities were increasingly willing to intervene. In the past, if a parent were dissatisfied with the quality of education, he exerted influence locally to raise standards. If that did not work, he suffered, silently or otherwise. In the past, if a child could not read and do arithmetic, his parents would appeal to local officials to solve the problem. If local officials were unwilling or unable to deal with the problem, the search for a solution ended there. Now like-minded parents support state-level minimal competency testing. In the past, if a female teacher believed that she

were being discriminated against in promotion decisions, she could only complain to local officials. If that did not work, she suffered, most often silently. Now, because women resorted to the courts and to lobbying, federally imposed protection exists. In the past, if a parent were denied access to school records, he had little recourse. He suffered in ignorance of the contents of the records. Now, federally imposed procedures regulate his access to his child's records. In the past, a handicapped child might receive less than adequate treatment at the hands of the school. Recourse by the parents of handicapped children to the states, the courts, and the federal government now guarantees adequate treatment. Students about to be suspended and teachers about to be dismissed no longer have to suffer the discretionary decisions of school officials. The courts have guaranteed that a hearing be held. Schools no longer can segregate children by race. And, increasingly, states are losing the discretion to spend more money in rich school districts and less money in poor school districts.

The perceived failure of school officials to solve important educational and social problems has resulted in a growing dimunition of local discretionary authority. While the objectives of the new educational policies are salutory, they have the unintended effect of increasing centralization of school governance. Moreover the trend is accelerating because recourse to higher authority is becoming habitual.

D. A Modest Recommendation

Growing bureaucratization and centralization in education are the results of efforts by policymakers (and those they represent) to solve educational problems. The two major problems are inequality in education and low academic achievement. Generally, problems associated with equality in education--with the distribution of opportunities or resources--are not serious technical problems; they are political problems. When the local majoritarian processes fail to deliver equal opportunity, those who suffer discrimination invoke higher authorities. When local schools discriminate on the basis of race, economic status, handicap, or sex, action by higher authorities will redress the imbalance. The proper distribution or opportunities and resources is a goal which can be promoted through legislation, and, where necessary, litigation. The goal of equality has been and is being promoted by court decisions, federal legislation and state legislation. Progress has been made; more is required.

However, a new goal has begun to capture the attention of those who make policy for education. That goal is to make educational institutions more efficient and more effective. At times, that goal appears to arise as a reaction to efforts to equalize the distribution of opportunities or resources. Will a more equal distribution of opportunities or resources make educational institutions more efficient or effective? At other times the goal is invoked to conjure images of waste and duplication. At still other times, the goal is invoked to promote educational achievement. Legislation or a court order is sought to solve the problem

of low academic achievement.

Policy designed to solve the problem of low academic achievement is qualitatively different from policy designed to solve the problem of unequal educational opportunity. The solution to the problem of low achievement is more technical than political. It is true that some teachers do not teach. It is true that some students do not learn. The question is whether high level policy interventions will solve those problems. I think not. The causes of these problems are deep. They are not likely to respond to the kinds of policy interventions permitted by our current state of knowledge about teaching and learning and policy intervention.

Three recommendations follow:

(1) Higher levels of government should be concerned with promoting equality of educational opportunity.

(2) The establishment of standards and the operation of schools should be the responsibility of the local board of education and its staff.

(3) Minimal competency testing will not solve the problems of poor learning and poor teaching; serious research is required.

Footnotes

[1]Cooperative Accountability Project, Legislation by the States: Accountability and Assessment in Education, Report No. 2 (Colorado: CAP, 1974), p. 7. The Cooperative Accountability Project was a seven-state, 39-month project initiated in April, 1972 and financed by funds provided under E.S.E.A. of 1965 (P.L. 89-10). Most of the legislation cited here is taken from the above-referenced publication.

[2]Chapter 123, S. 41, 1971.

[3]H. B. No. 169, 1973.

[4]Cooperative Accountability Project, Legislation by the States, p. 8c.

[5]H845, 1972.

[6]House Concurrent Resolution No. 1027, 1973.

[7]House Bill No. 475, 1972.

[8]Assembly Bill No. 2800, 1971.

[9]Chapter 123, S. 43, 1971.

[10]Senate Bill 672, 1974.

[11]Chapter 361, 1971.

[12]Chapter 1216, 1975. In "Research Basis for Performance-Based Teacher Education," Robert W. Heath and Mark A. Nielson conclude:

> First, the research literature on the relation between teacher behavior and student achievement does not offer an empirical basis for the prescription of teacher-training objectives.
>
> Second, this literature fails to provide such a basis, not because of minor flaws in the statistical analyses, but because of sterile operational definitions of both teaching and achievement, and because of fundamentally weak research designs.
>
> Last, given the well-documented, strong association between student achievement and variables such as socioeconomic status and ethnic status, the effects of techniques of teaching on achievement (as these variables are defined in the PBTE research) are likely to be inherently trivial. Review of Educational Research Vol. 44, No. 4 (Fall, 1974): 463-81, 481.

[13]Public Act No. 38, 1970.

[14]The Michigan assessment law has been analyzed more than most. A few studies are: Ernest House, Wendell Rivers, Daniel Stufflebeam, "An Assessment of the Michigan Accountability System," A Report to the Michigan Education Association and the National Education Association, March 1974. "A Staff Response to the Report 'An Assessment of the Michigan Accountability System,'" Michigan Department of Education, May, 1974. Jerome T. Murphy and David K. Cohen, "Accountability in Education--the Michigan Experience," Public Interest 36 (Summer, 1974): 53-81.

[15]A. B. 606 Chapter 784, 1969.

[16]Chapter 233.25 (1974).

[17]For a critical analysis of learner verification, see "Quality Control for Instructional Materials: Legislative Mandates of Learner Verification and Implications for Public Education," Harvard Journal on Legislation 12 (1975): 511-62.

[18]P. L. 89-10, Title I, Sec. 141.

[19]Ralph Tyler, "Foreword" to Update on Education (Denver: Education Commission of the States, 1975), p. xi.

[20]Update on Education, pp. 143-47.

[21]Peter Doe v. San Fransisco, 131 Cal. Rptr. 854 (1976), p. 856.

[22]The court actually endorsed an act of the state legislature which was the legislative response to an earlier court demand. 69 N. J. 449, 355 A. 2d. 129 (1976).

[23]For a somewhat more elaborate definition see Martin Rein, Social Science and Public Policy (Harmondsworth: Penguin, 1976), p. 103. "Policy paradigms are a curious admixture of psychological assumptions, scientific concepts, value commitments, social aspirations, personal beliefs and administrative constraint." Our definition is meant to subsume all of these elements.

[24]Michel Crozier, The Bureaucratic Phenomenon (Chicago: The University of Chicago Press, 1964), p. 1.

[25]James S. Coleman, Equality of Educational Opportunity (Washington: Government Printing Office, 1966).

[26]Audrey James Schwartz, "Social Science Evidence and the Objectives of School Desegregation," in Indeterminacy in Education, ed. John E. McDermott (Berkeley: McCutchan, 1976), pp. 73-113.

[27]John I. Goodlad, "A Perspective on Accountability," Phi Delta Kappan 57, No. 2, p. 109.

[28]Phillippe C. Duchastel and Paul F. Merrill, "The Effects of Behavioral Objectives on Learning: Review of Empirical Studies," Review of Educational Research 43, No. 1, (Winter, 1973): pp. 53-69.

[29]Goodlad, "A Perspective on Accountability," p. 110.

[30]Ralph A. Smith, Regaining Educational Leadership: Critical Essays on PBTE/CBTE, Behavioral Objectives, and Accountability (New York: Wiley, 1975): 1.

[31]Ibid., p. 13.

[32]James W. Guthrie, "Social Science, Accountability, and the Political Economy of School Productivity," Indeterminacy in Education, pp. 260-61.

Appendix A

Florida's Educational Accountability Act of 1976

Perhaps the most comprehensive minimal competency testing legislation enacted in 1976 was Florida's Educational Accountability Act of 1976. The law mandated learning while preserving many other elements of accountability. Its intent was to:

> (a) Provide a system of accountability for education in Florida which guarantees that each student is afforded similar opportunities for educational advancement without regard to geographic differences and varying local economic factors.
>
> (b) Provide information for education decision-makers at the state, district, and school levels so that resources may be appropriately allocated and the needs of the system of public education met in a timely manner.
>
> (c) Provide information about costs of educational programs and the differential effectiveness of differing instructional programs so that the educational process may be improved continually.
>
> (d) Guarantee to each student in the Florida system of public education that the system provides instructional programs which meet minimum performance standards compatible with the state's plan for education.
>
> (e) Provide a more thorough analysis of program costs and the degree to which the various districts are meeting the minimum performance standards established by the State Board of Education.
>
> (f) Provide information to the public about the performance of the Florida system of public education in meeting established goals and providing effective, meaningful, and relevant educational experiences designed to give students at least the minimum skills necessary to function and survive in today's society.

While the minimum performance standards may appear to be characteris-

tics of programs, it soon becomes clear that they are standards for students to attain; in short the system is to guarantee that each student attain a specified standard.

The basic skills portion of the act specifies what every student is to learn:

> (1) The Legislature recognizes that the early years of a pupil's education are crucial to his future and that mastery of the basic skills of communication and computation is essential to the future educational and personal success of an individual. The first priority of the public schools of Florida shall be to assure that all Floridians, to the extent their individual physical, mental, and emotional capacities permit, shall achieve mastery of the basic skills.
>
> The term "basic skills," for the purpose of this section, means reading, writing, and arithmetic. Early childhood and basic skills development programs shall be made available by the school districts to all school age children, especially those enrolled in kindergarten and grades one through three, and shall provide effective, meaningful, and relevant educational experiences designed to give students at least the minimum skills necessary to function and survive in today's society.
>
> (2) In implementing the intent of this section, each school district shall develop a program for early childhood and basic skills development. The early childhood and basic skills program shall be developed cooperatively by school administrators, teachers, parents, and other community groups or individuals having an interest in the programs or having expertise in the field of early childhood education or basic skills development.
>
> (3) Each district's early childhood and basic skills development program shall be based on guidelines prepared by the Department of Education.... The Program shall assure that each pupil is enrolled in a program designed to meet his individual needs and that he achieves that level of mastery of the basic skills which his capacities permit.

As well the law specifies the contingencies should a student

fail to attain minimum performance standards:

> (1) By July 1, 1977, each district school board shall establish a comprehensive program for pupil progression which shall be based upon an evaluation of each pupil's performance, including how well he masters the minimum performance standards approved by the state board.
>
> (2) The district program for pupil progression shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the state Board of Education. Particular emphasis, however, shall be placed upon the pupil's mastery of the basic skills, especially reading, before he is promoted from the third, fifth, eighth and eleventh grades. Other pertinent factors considered by the teacher before recommending that a pupil progress from one grade to another shall be prescribed by the district school board in its rules.
>
> (3) Beginning with the 1978-79 school year, each district school board shall establish standards for graduation from its secondary schools. Such standards shall include, but not be limited to, mastery of the basic skills and satisfactory performance in functional literacy as determined by the State Board of Education, and the completion of the minimum number of credits required by the district school board. Each district shall develop procedures for the remediation of those students who are unable to meet such standards. Based on these standards each district shall provide for the awarding of certificates of attendance and may provide for differentiated diplomas to correspond with the varying achievement levels or competencies of its secondary students.

In addition, the law requires: educational planning (including the creation of a management information system); research and development "to assess the effects of alternative educational practice;" educational evaluation;"procedures for diagnosis and placement of students in special programs for exceptional students to determine that the district is following the criteria

for placement established by rules of the state board;" state-wide assessment testing programs (sic); school, district and state reports; and school advisory committees, (but these shall not have "any of the powers and duties now reserved by law to the district school board.")